

REMARKS

The Office Action dated November 22, 2005, has been received and carefully considered. In this response, claims 1 and 6 have been amended. Entry of the amendments to the claims 1 and 6 is respectfully requested. Reconsideration of the outstanding rejections in the present application is also respectfully requested based on the following remarks.

I. **THE OBVIOUSNESS REJECTION OF CLAIMS 1-13**

On page 2 of the Office Action, claims 1-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Potter (U.S. Patent No. 5,787,402) in view of Rosen (U.S. Patent No. 5,774,553), and further in view of DeCovny (“Net Scope,” Banking Technology. London: May 1997, Vol. 14, Iss. 4, pg. 28, 4 pgs.”). This rejection is hereby respectfully traversed.

As stated in MPEP § 2143, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant’s disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Regarding claims 1 and 6, the Examiner submits -- and Applicant agrees -- that Potter does not teach or suggest “the first processor grouping the plurality of funds transfer transactions.” The Examiner submits that Rosen teaches “grouping the plurality of funds transfer transactions” was a common practice in “Foreign Exchange Transaction System.” (See Rosen, Abstract: “A real-time multilateral foreign exchange settlement system having a computer

implemented netting system, a processor-based multilateral settlement coordinator (MSC) having a first money module and a first host application, where the first host application receives debt and credit data from said netting system. A plurality of processor-based multilateral settlement agents (MSAs) each having a second money module and a second host application” See column 26 where in it “Foreign exchange trading can be settled in one of three ways....” The Examiner further alleges that “it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Potter et al. method and system to use ... the first processor grouping the plurality of funds transfer transactions” as taught by Rosen ... to be a common practice of banks ... and still further one is motivated to group similar types of trades as needed in order to create proper size trading blocks which will command the best trade price.”

However, Applicant respectfully submits that Rosen does not teach or suggest the specific step of “grouping the plurality of funds transfer transactions *into funds transfer transactions requiring a foreign exchange operation, denoted as foreign exchange funds transfer transactions, and funds transactions not requiring a foreign exchange operation, denoted as same currency funds transfer transaction.*” Applicant respectfully submits that the Examiner’s allegation that Rosen teaches “grouping the plurality of funds transfer transactions” fails to consider and account for each and every term of the recitation, namely, the remainder of the recitation requiring grouping *into funds transfer transactions requiring a foreign exchange operation, denoted as foreign exchange funds transfer transactions, and funds transactions not requiring a foreign exchange operation, denoted as same currency funds transfer transaction.* To the extent the Examiner alleges that italicized portion is taught and suggested by Potter, Applicant respectfully disagrees. In particular, Applicant respectfully submits that there is no teaching or suggestion in Potter of any “groups” of funds transfer transactions requiring a foreign

exchange operation, denoted as foreign exchange funds transfer transactions, and funds transactions not requiring a foreign exchange operation, denoted as same currency funds transfer transaction.

Further, Applicant respectfully submits that the Examiner fails to set forth a proper motivation for combining Potter with Rosen to achieve the claimed invention. In particular, there is not suggestion in either Potter or Rosen or the knowledge of one of ordinary skill in the art to modify Potter to incorporate a feature or functionality for grouping the plurality of funds transfer transactions into funds transfer transactions requiring a foreign exchange operation, denoted as foreign exchange funds transfer transactions, and funds transactions not requiring a foreign exchange operation, denoted as same currency funds transfer transaction. Potter relates to a system and method whereby its user selects the type of transaction by selecting the appropriate applications (see below). Accordingly, Applicant respectfully submits that there is no need in Potter to “group” transactions in the manner claimed.

Although Applicant does not agree with the pending rejection, Applicant has nonetheless amended the claims to clarify the claimed systems and methods and better distinguish the cited references. In particular, Applicant has amended each of independent claims 1 and 6 to further recite the step of “determining which of the plurality of funds transfer transactions is a foreign exchange transaction.” Applicant respectfully submits this feature is fully supported by the specification. *See, e.g.*, Figure 2, step 240; Col. 8, lines 14-18).

Applicant respectfully submits that none of the cited references teach or suggest the specific step of “determining which of the plurality of funds transfer transactions is a foreign exchange transaction.” Potter, for example, expressly teaches that the “customer” itself selects whether a transaction is a foreign exchange (FX) transaction:

A client initiates use of an application (FX Trade, Money Market, FX Order or Payment Order) by selecting the appropriate program group and icon from the Windows Program Manager screen, and then selecting "log-in" from the File menu FIG. 3, 202. The client PC, using its phone-line connection, dials into the Message Router 204. When the client initiates the log-in process, a dialog box called the "Communications Monitor" appears on the client PC and is visible during the entire log-in sequence 205. If log-in difficulties occur 208, such as the PC phone-line failing to establish a connection with the Message Router, then the client can call Customer Service. The Communications Monitor will show any log-in difficulties. A client may choose to not view the Monitor box at any time during the log-in sequence by selecting "Monitor" from the "Tools" menu to disengage that feature.

See Col. 5, line 60 - Col. 6, line 8 (emphasis added).

Applicant respectfully submits, therefore, that as evidenced by the above excerpt, the "client" in Potter actually indicates that a transaction is a foreign (FX) transaction by selecting an icon initiating such an application. Accordingly, Applicant respectfully submits that Potter has no need for, and thus does not disclose, any feature or functionality that "determin[es] which of the plurality of funds transfer transactions is a foreign exchange transaction," as recited in independent claims 1 and 6. Applicant further respectfully submits that none of the other cited references make up for Potter's deficiency in this regard.

Claims 2-5 and 7-13 are dependent upon independent claim 1 or 6. Thus, since independent claims 1 and 6 should be allowable as discussed above, claims 2-5 and 7-13 should also be allowable at least by virtue of their dependency on independent claim 1 or 6. Moreover, these claims recite additional features which are not claimed, disclosed, or even suggested by the cited references taken either alone or in combination. For example, claim 3 recites the system according to claim 1, further comprising: a link coupling the first processor to a system of the customer, wherein the customer system transmits the bulk file to the first processor. Applicant respectfully submits that none of the cited references, alone or in combination, teach or suggest the system of claim 1 further comprising a link coupling the first processor to a system of the

customer, wherein the customer system transmits the bulk file to the first processor.

In view of the foregoing, it is respectfully requested that the aforementioned obviousness rejection of claims 1-13 be withdrawn.

II. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

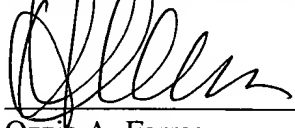
To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

Respectfully submitted,

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APPENDIX A

1. **(Currently Amended)** A system for processing funds transfer transactions from a customer of a financial institution, the system comprising:

a first processor receiving a bulk file from the customer, the bulk file containing a plurality of funds transfer transactions, the first processor: (1) determining which of the plurality of funds transfer transactions is a foreign exchange transaction, and (2) grouping the plurality of funds transfer transactions into funds transfer transactions requiring a foreign exchange operation, denoted as foreign exchange funds transfer transactions, and funds transactions not requiring a foreign exchange operation, denoted as same currency funds transfer transaction;

a second processor coupled to the first processor, the second processor receiving the same currency funds transfer transactions not requiring a foreign exchange operation from the first processor, the second processor generating first funds transfer instructions in response to the same currency funds transfer transactions;

a funds transfer processor coupled to the second processor, the funds transfer processor receiving the first funds transfer instructions from the second processor and executing the received first funds transfer instructions by transferring funds to a funds transfer processor of another financial institution; and

a trading processor coupled to the first processor, the trading processor receiving the foreign exchange funds transfer transactions from the first processor, the trading processor executing a foreign exchange operation in response to the received foreign exchange funds transfer transactions.

2. **(Original)** The system according to claim 1, wherein:

the trading processor is coupled to the second processor,

the trading processor forwarding to the second processor the foreign exchange funds transfer transactions and funds resulting from the foreign exchange operation,

the second processor generating second funds transfer instructions in response to the foreign exchange funds transfer transactions and funds resulting from the foreign exchange operation, and

the funds transfer processor receiving the second funds transfer instructions from the second processor and executing the received second funds transfer instructions by transferring funds to a funds transfer processor of another financial institution.

3. (Original) The system according to claim 1, further comprising:
a link coupling the first processor to a system of the customer, wherein the customer system transmits the bulk file to the first processor.
4. (Original) The system according to claim 3, further comprising:
a firewall disposed in the link coupling the first processor to the customer system.
5. (Original) The system according to claim 1, further comprising:
a market link from the trading processor to a foreign exchange market, wherein the trading processor receives real time foreign exchange rates over the link.
6. **(Currently Amended)** A method for processing funds transfer transactions from a customer of a financial institution using a processor-based system, the method comprising the steps of:
receiving a bulk file from the customer, the bulk file containing a plurality of funds transfer transactions;
determining which of the plurality of funds transfer transactions is a foreign exchange transaction;

grouping the plurality of funds transfer transactions into funds transfer transactions requiring a foreign exchange operation, denoted as foreign exchange funds transfer transactions, and funds transfer transactions not requiring a foreign exchange operation, denoted as same currency funds transfer transactions;

executing a foreign exchange operation in response to the foreign exchange funds transfer transactions to thereby generate available funds; and

settling the foreign exchange funds transfer transactions using the available funds.

7. (Original) The method according to claim 6, further comprising the steps of:
generating funds transfer instructions in response to the same currency funds transfer transactions; and

settling the same currency funds transfer transactions in response to the funds transfer instructions.

8. (Original) The method according to claim 6, further comprising the step of:
separating the bulk file into its component funds transfer transactions, the component funds transfer transactions including the foreign exchange funds transfer transactions and the same currency funds transfer transactions.

9. (Original) The method according to claim 6, further comprising the step of
sending an acknowledgments to the customer upon receipt of the bulk file and upon the settlement of the funds transfer transactions.

10. (Original) The method according to claim 6, further comprising the step of
grouping the foreign exchange funds transfer transactions into batches according to a market in which the foreign exchange operation is to take place.

11. (Original) The method according to claim 10, further comprising the step of

validating the format and contents of the batches.

12. (Original) The method according to claim 11, further comprising the step of validating the format and contents of the foreign exchange funds transfer transactions contained in the batches.

13. (Original) The method according to claim 10, further comprising the step of aggregating the foreign exchange funds transfer transactions contained in the batches according to a currency of the foreign exchange operation.